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**DEC 05 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Banerjee et al. :  
Application No. 09/502,882 :  
Filing or 371(c) Date: 02/11/2000 : **ON PETITION**  
Attorney Docket Number: :  
56115534-118128 :

This is a decision on the petition under 37 CFR 1.137(b), filed August 10, 2006, to revive the above-identified application. The delay in treating this petition is regretted.

This Petition is hereby **dismissed**.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Request for Reconsideration of Petition under [insert the applicable code section]". This is **not** final agency action within the meaning of 5 U.S.C. § 704.

**Background**

The above-identified application became abandoned for failure to timely and properly reply to the final Office action, mailed July 26, 2004. The Office action set a three (3) month period for reply from the mail date of the Office action. Extensions of time were available under 37 CFR 1.136(a). Applicant filed a reply on October 28, 2004; however, the reply failed to place the application in condition for allowance. No complete and proper reply having been received, the application became abandoned on October 27, 2005. A Notice of Abandonment was mailed June 29, 2006.

**The instant petition**

Applicant files the instant petition and Amendment.

The Examiner has reviewed the Amendment and concluded that the Amendment fails to place the application in condition for allowance.


Further correspondence with respect to this matter should be addressed as follows:

By mail:                    Director for Patents  
                                 PO Box 1450  
                                 Alexandria, VA 22313-1450

By FAX:                    (571) 273-8300  
                                 Attn: Office of Petitions

By hand:                   Customer Service Window  
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                                 401 Dulany Street  
                                 Alexandria, VA 22314

Inquiries regarding the Amendment should be directed to the Examiner. Telephone inquiries concerning this petition Decision should be directed to the undersigned at (571) 272-3232.



Derek L. Woods  
Attorney  
Office of Petitions